

**MINUTES OF THE
ACCESS TO HEALTH CARE AND COVERAGE TASK FORCE**
Friday, November 15, 2002 – 9:00 a.m. – Room 403 State Capitol

Members Present:

Sen. Peter Knudson, Co-Chair
Rep. Rebecca Lockhart, Co-Chair
Sen. D. Chris Butters
Sen. Paula Julander
Rep. Trisha Beck
Rep. Jim Ferrin
Rep. David Litvack
Rep. J. Morgan Philpot
Mr. Merwin U. Stewart

Members Absent:

Mr. Rod L. Betit

Staff Present:

Ms. Jami Momberger, Research Analyst
Ms. Catherine Dupont, Associate General Counsel
Ms. Jennifer Markham, Legislative Secretary

Note: A list of others present and a copy of materials can be found at <http://www.image.le.state.ut.us/imaging/history.asp> or by contacting the task force secretary, Jennifer Markham, at 538-1032.

1. Task Force Business

Chair Lockhart called the meeting to order at 9:20 a.m. Chair Lockhart introduced Michael Deily who attended as Rod Betit's designee.

MOTION: Sen. Butters moved to approve the minutes of the September 13, 2002 meeting. The motion passed unanimously, with Rep. Ferrin and Rep. Litvack absent for the vote.

2. Dental Update

Dr. Steven Steed, Dentist, DOH (Department of Health), stated that Dr. Cottam was unable to attend the meeting and he introduced Ms. Baebler.

Ms. Kathy Baebler, BS, CDA, Oral Health Coordinator SLVHD (Salt Lake Valley Health Department), gave an electronic presentation "The Utah Oral Health Improvement Act - Update" and provided a copy for the committee history. She summarized the effects of poor dental health and reviewed the goals of the Utah Oral Health Improvement Act.

Dr. Steed and Ms. Baebler provided an overview of their handouts "Phase-In Proposal for Restoring Medicaid, CHIP and Implementing the Utah Oral Health Improvement Act" and "Intent Language Approving the Three Elements of the Utah Oral Health Improvement Act (UOHIA) Passed in the 2002 Utah Legislative Session"

3. Usual and Customary Fees

Rep. Ferrin discussed his experience and concern with medical billing of usual and customary fees.

Mr. Val Bateman, Deputy Executive Vice President, Utah Medical Association, clarified that a resource based relative value scale which assigns a value to a procedure and multiplier is currently used to set fees

instead of the usual and customary fee schedules, based on community standards. He indicated it is common practice in a physician's office to negotiate a discount prior to providing services if the patient is uninsured or self-insured. He indicated that for the insured the contract between the physician and third-party payer would determine the amount charged, and discounts are usually prohibited under the contract. He emphasized the physician's office could not charge less than the Medicare rate. Mr. Bateman stressed that emergency room situations could be different and he could not address that situation. Mr. Bateman distributed "President's Message - The Greatest Profession," "UMA Economic Code of Medical Ethics for Utah Physicians," and "Policy Statement by the AMA H-380.989 Patient and Physician Right to Privately Contract for Health Care."

Ms. Marjorie Amato, President, Utah Medical Group Management Association, confirmed that most physician's offer discounts based on the patient's ability to pay, which may include free care. She stated most physician offices try to identify the uninsured or self-insured patient at the first visit to discuss the fee schedule, method of payment, or possible discounts. She emphasized that most high-deductible insurance plans' fee schedules prevail, and insured patients usually benefit from the contracted amount.

Mr. Kelly Atkinson, Executive Director, Utah Health Insurance Association, emphasized employers pay insurance companies to negotiate fair but low rates in order to drive down the cost of health care. He emphasized that high-deductible policy holders assume more of the health care cost risks in exchange for lower premiums.

Ms. Jennifer Cannaday, Chief Legal Counsel, Blue Cross Blue Shield, agreed with Mr. Bateman's discussion on reimbursement determination. She emphasized that this is a business relationship between the health plan and provider and that contracted amounts vary between carriers.

Ms. Tina Johnson described her experience with employer-based insurance with high-deductibles.

Mr. Merwin Stewart emphasized the complexity of the issue, and that solutions will be difficult. He indicated that it would take cooperation from various interests for any changes to work. He emphasized the need to make hard choices in order to fix the system, but he did not think the answer would be a one-payer system. He expressed a willingness to work with any groups to find solutions.

4. Administrative Rule Process for the Department of Health

Mr. Doug Springmeyer, Assistant Attorney General, DOH (Department of Health), distributed and discussed "Administrative Rule Process for the Department of Health."

5. Medicaid Spend Down

Ms. Judi Hillman, Policy Analyst, Utah Issues, summarized her handout "Medicaid Spenddown Restructuring."

Mr. Donald Pace, President, Home Resident's Council, Salt Lake City Housing Authority, explained the difficulty of the marriage penalty on senior citizens and emphasized the need for equal treatment between married and single senior citizens on Medicaid.

MOTION: Rep. Beck moved to recommend draft legislation "Eliminate Spend Down Provision for Medicaid" to the Health and Human Services Interim Committee with a task force note. The motion passed unanimously, with Rep. Ferrin and Rep. Philpot absent for the vote.

6. Other Items/Adjourn

Ms. Momberger summarized the proposed Access to Health Care and Coverage Task Force Report that will be presented to the Health and Human Services Interim Committee with the recommendation to ask the Health and Human Services Interim Committee to continue monitoring the progress of the employer-based component of the PCN, the rates of the uninsured in Utah, and Medicaid spending including eligibility and benefit expansion/reduction, and to recommend the draft legislation "Eliminate Spend Down Provision for Medicaid" with a task force note. Ms. Momberger informed the Task Force that a briefing paper would be distributed to all legislators explaining the Medicaid reductions.

Sen. Knudson stated that the Task Force had completed its mission.

MOTION: Sen. Julander moved to adjourn the meeting at 11:20 a.m. The motion passed unanimously, with Rep. Ferrin and Rep. Philpot absent for the vote.